

<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN</b>  <b>PATENT APPLICATION</b>  <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration  Submitted with      Submitted after Initial  Initial Filing      Filing (surcharge 37 CFR 1.16(e) required)	Attorney Docket No.	RFS-001CP
	First Named Inventor	Lieblich
	<b>COMPLETE IF KNOWN</b>	
	Application Serial Number	10/626,394
	Filing Date	July 24, 2003
	Group Art Unit	Not yet assigned
	Examiner Name	Not yet assigned

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DISTRIBUTED COMPUTER MONITORING SYSTEM AND  
METHODS FOR AUTONOMOUS COMPUTER MANAGEMENT**

*(Title of the Invention)*

the specification of which

☐ is attached hereto  
OR  
☒ was filed on 

07/24/2003

 as United States Application Serial Number or PCT International (MM/DD/YYYY)

Application Number 

10/626,394

 and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

## DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
10/618,092	07/11/2003	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number  → Place Customer  
Number Bar Code  
Label Here

OR

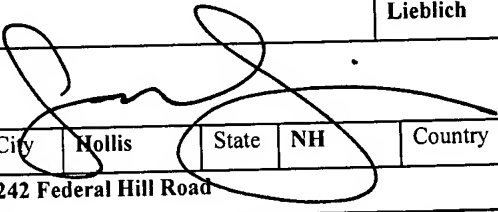

☒ Registered practitioner(s) name/registration number listed below

	Registration Number	Name	Registration Number
Andrew F. Abramson	52,538	William R. Haulbrook	53,002
Steven M. Bauer	31,481	Ira V. Heffan	41,059
Mark L. Beloborodov	50,773	Douglas J. Kline	35,574
John V. Bianco	36,748	William A. Meunier	41,193
Robert S. Blasi	50,389	Thomas C. Meyers	36,989
Michael H. Brodowski	41,640	Ronda P. Moore	44,244
Jennifer A. Camacho	43,526	Jeremy P. Occek	50,794
Joseph A. Capraro, Jr.	36,471	Jamie H. Rose	45,054
Fangli Chen	51,551	Christopher W. Stamos	35,370
Christopher H. Chung	50,351	Diana M. Steel	43,153
John J. Cotter	38,116	Robert J. Tosti	35,393
Robert V. Donahoe	46,667	Thomas A. Turano	35,722
Brian A. Fairchild	48,645	Natasha C. Us	44,381
James E. Fajkowski	54,089	Christine C. Vito	39,061
Jason P. Fiorillo	52,892	Daniel A. Wilson	45,508
John V. Forcier	42,545	Gerald E. Worth	45,238
Steven J. Frank	33,497	Yin P. Zhang	44,372
Kia L. Freeman	47,577	Stephanie M. Zierten	52,397
Brian M. Gaff	44,691		
Edward A. Gordon	P-54,130		
Jennifer Grant Moisoto	51,752		
Duncan A. Greenhalgh	38,678		
<input type="checkbox"/> Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.			

Direct all correspondence to:

Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

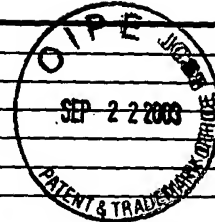
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Jason				Lieblich				
Inventor's Signature					Date			
Residence	City	Hollis	State	NH	Country	USA	Citizenship	USA
Mailing Address		242 Federal Hill Road						
Mailing Address (ln. 2)	City	Hollis	State	NH	ZIP	03049	Country	USA
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto.								
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Dustin				Norman				
Inventor's Signature					Date			
Residence	City	Nashua	State	NH	Country	USA	Citizenship	USA
Mailing Address		6B High Pine Avenue						
Mailing Address (ln. 2)	City	Nashua	State	NH	ZIP	03063	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Inventor's Signature					Date			
Residence	City		State		Country		Citizenship	
Mailing Address								
Mailing Address (ln. 2)	City		State		ZIP		Country	



**FEE TRANSMITTAL**  
**FY 2003**

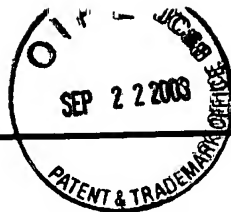
Complete if Known	
Application Serial Number	10/626,394
Filing Date	July 24, 2003
First Named Inventor	Lieblich
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	RFS-001CP



METHOD OF PAYMENT		FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES			
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					
3. <input checked="" type="checkbox"/> Applicant claims small entity status.					
<b>FEE CALCULATION</b>					
1. FILING FEE					
Large Entity					
Fee (\$)	Fee Description	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
750	Utility filing fee	130	65	Surcharge - late filing fee or oath	\$ 65.00
330	Design filing fee	50	25	Surcharge - late provisional filing fee or cover sheet	
160	Provisional filing fee	130	130	Non-English specification	
		2,520	2,520	Request for ex parte reexamination	
		110	55	Extension for reply within first month	
		410	205	Extension for reply within second month	
		930	465	Extension for reply within third month	
		1450	725	Extension for reply within fourth month	
		1970	985	Extension for reply within fifth month	
		320	160	Notice of Appeal	
		320	160	Filing a brief in support of an appeal	
		280	140	Request for oral hearing	
		130	130	Petitions to the Commissioner	
		180	180	Submission of Information Disclosure Statement	
		750	375	Filing a submission after final rejection (37 CFR 1.129(a))	
		750	375	For each additional invention to be examined (37 CFR 1.129(b))	
		100	100	Certificate of Correction for applicant's error	
		110	55	Submission of Terminal Disclaimer	
		Other fee (Specify)			
		Other fee (Specify)			
TOTAL:		SUBTOTAL (3) (\$ 65.00)			
SMALL ENTITY DISCOUNT:					
SUBTOTAL (1) (\$ 0)					
2. AMENDMENT CLAIM FEES					
Claims	Highest No.	Present	Rate	Fee Paid	
Remaining	Previously	Extra			
After Amend.	Paid For				
Total	-	=	x \$ 18.00 =		
Indep.	-	=	x \$ 84.00 =		
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				+ \$280.00 =	
TOTAL:				(\$)	
SMALL ENTITY DISCOUNT:				(\$)	
SUBTOTAL (2)				(\$ 0)	
CORRESPONDENCE ADDRESS		SIGNATURE BLOCK			
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Respectfully submitted,  Jason P. Fiorillo Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110			

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09/24/2003 EAREGAY1 00000108 10626394 65.00 0P 01 FC:2051



# TRANSMITTAL FORM

Application Serial Number	10/626,394
Filing Date	July 24, 2003
First Named Inventor	Liebllich
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	RFS-001CP
Patent No.	Not applicable
Issue Date	Not applicable

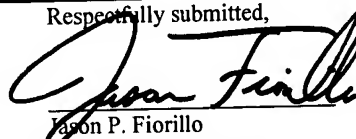
## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
Jason P. Fiorillo  
Attorney for Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Date: September 19, 2003  
Reg. No.: 52,892  
Tel. No.: (617) 310-8471  
Fax No.: (617) 248-7100



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PATENT  
Attorney Docket No.: RFS-001CP  
(9521/4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lieblich *et al.*  
SERIAL NO.: 10/626,394 GROUP NO.: Not yet assigned  
FILING DATE: July 24, 2003 EXAMINER: Not yet assigned  
TITLE: Distributed Computer Monitoring System and Methods for Autonomous  
Computer Management

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19<sup>th</sup> day of September, 2003.

Nicole Deane

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

- 1.) Transmittal Form (1 pg.);
- 2.) Executed Declaration and Power of Attorney for Utility or Design Patent Application (3 pgs.);
- 3.) Fee Transmittal (1 pg.);
- 4.) Check in the amount of \$65.00; and
- 5.) Return Receipt Postcard.